

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JAMES WERTS,

Defendant.

8:06CR288

ORDER

This matter is before the court on the motion of defendant, James Werts, to continue trial, based on counsel's trial schedule. It does not appear, however, that counsel is unavailable or will be unable to prepare for the November 14, 2006 trial in this case. Under the circumstances, the court's calendar cannot accommodate the defendant's request.

IT IS ORDERED that defendant's motion to continue trial [53] is denied.

DATED November 1, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge